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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,160	06/13/2001	Shigehisa Tonomura	1341.1095	3652
21171	7590	02/12/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ARSHAD, UMAR	
			ART UNIT	PAPER NUMBER
			2174	3
DATE MAILED: 02/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/879,160	TONOMURA, SHIGEHISA	
	<b>Examiner</b> Umar Arshad	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 6/13/2001.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-12 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All   b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application.(PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4 – 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Petite, U.S. Patent No. 5,926,103.

As per claim 1, Petite teaches an information providing method comprising the steps of:

accepting photographed data including photographing position information from a user (see Petite, column 2, lines 25 – 29, and column 2, line 66 – column 3, line 3);

acquiring contents corresponding to the photographing position information from a position-distinction contents database based on the photographing position information in the accepted photographed data, wherein said position-distinction contents database stores photographing position information and contents in a correlated manner (see Petite, column 2, lines 35 – 38 and column 7, lines 42 – 48; it is inherent that the information relating to emergency personnel closest to the location is

associated with the location information); and

inserting and editing the acquired contents into a portion of the photographed data corresponding to the photographing position information (see Petite, column 2, lines 38 – 40; it is inherent that the additional data is inserted into a portion of the photographed data because the additional data is transmitted along with the original data to the emergency personnel).

As per claim 4, which is dependent on claim 1, Petite teaches the method of claim 1 (see rejection above). Petite further teaches the information providing method according to claim 1, wherein the photographed data are data photographed in a certain bigger area (see Petite, column 2, lines 66 – column 3, line 3; the examiner interprets the scene of a crime or emergency as a bigger area), and the photographing position information is information about a smaller area in the bigger area where the photographing is executed or information showing a photographing spot (see Petite, column 7, lines 42 – 48; the examiner interprets the address of the transceiver as a photographing spot).

As per claim 5, which is dependent on claim 1, Petite teaches the method of claim 1 (see rejection above). Petite further teaches the information providing method according to claim 1, wherein the photographed data are frames of original dynamic images (see Petite, column 2, lines 66 – column 3, line 3; the examiner interprets video images capturing the scene of a crime or emergency as frames of original dynamic

images).

As per claim 6, Petite teaches an Information receiving method comprising the steps of:

transmitting photographed data including photographing position information to a server (see Petite, lines 25 – 30); and

receiving the photographed data, into which contents corresponding to the photographing position information are inserted and edited by the server, from the server based on the transmitted photographing position information (see Petite, column 2, lines 36 – 41; the examiner interprets a remote receiver as a server).

As per claim 7, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 8, it is of similar scope to claim 6 and is rejected under the same rationale as claim 6 (see rejection above).

As per claim 9, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 10, it is of similar scope to claim 6 and is rejected under the same rationale as claim 6 (see rejection above).

As per claim 11, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 12, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petite, U.S. Patent No. 5,926,103 in view of Yoon et al., U.S. Patent No. 6,173,407.

As per claim 2, which is dependent on claim 1, Petite teaches the method of claim 1 (see rejection above). Petite does not teach the information providing method according to claim 1 further comprising the step of calculating an appropriate fee for

providing the contents. Yoon et al. ("Yoon") teaches an information providing method comprising the step of calculating an appropriate fee for providing content (see Yoon, column 7, lines 9 - 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Yoon with the method of Petite in order to generate revenue for the content provider.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petite, U.S. Patent No. 5,926,103 in view of Kurihara, U.S. Patent No. 5,801,750.

As per claim 3, which is dependent on claim 1, Petite teaches the method of claim 1 (see rejection above). Petite further teaches the information providing method according to claim 1, wherein the accepting step further includes the steps of, accepting information for specifying the user along with the photographed data including the photographing position information; and transmitting the inserted and edited photographed data to a server based on the accepted information for specifying the user (see Petite, column 2, lines 35 – 41; it is inherent that the remote receiver accepts information for specifying the user because it obtains data relating to the user).

Petite does not teach transmitting the inserted and edited photographed data to the user based on the accepted information for specifying the user. Kurihara teaches transmitting data to the user based on accepted information for specifying the user (see

Kurihara, column 2, lines 41 – 50). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Kurihara with the method of Petite in order to transmit the information to the user only when the user is determined to be a legitimate user by the determining means.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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